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08/752,490	11/13/96	BOOTHBY	D 05110/006001

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LM41/0519

EXAMINER

VON BUHR, M

ART UNIT PAPER NUMBER

2771

8

DATE MAILED: 05/19/98

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on 2/18/97 and 2/24/97
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-56 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) ~~1-12, 18-20, 22-34, 40-42 and 44-56~~ is/are rejected.
- ☒ Claim(s) 13-17, 21, 35-39 and 43 is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is: ☐ approved ☐ disapproved.
- ☒ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4 (received 2/18/97)
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

- SEE OFFICE ACTION ON THE FOLLOWING PAGES -

1. Examiner acknowledges receipt of Applicant's preliminary amendment, received February 24, 1997; which presents the abstract, amends claims 1-11 and adds claims 12-56. Claims 1-56 are now pending in this application.
2. NOTE: the preliminary amendment was not in compliance with 37 CFR § 1.121(b), since the amended claims were not presented using the original claim number followed by the parenthetical word "amended." However, in order to further prosecution, Examiner has waived this requirement, and the claims stand as amended by the paper received on February 24, 1997. Any further amendments to the claims should comply with 37 CFR § 1.121.
3. Examiner acknowledges receipt of Applicant's information disclosure statement, with accompanying reference copies, which have been taken into consideration for this Office action.
4. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.
5. The disclosure is objected to because of the following informalities:
 - on page 1, the paragraph referring to the Appendix requires updating;
 - on page 2, lines 24-26 are grammatically awkward;
 - on page 3, the application data at the top of the page requires updating; and
 - on page 8, lines 7-9 are grammatically awkward, and "loadin" (line 11) is a misspelling.Applicant is requested to review the specification for any further informalities. Appropriate correction is required.
6. Claim 12 (as amended) is objected to, since -- a -- should be inserted before "past" (line 4 of the claim).

7. The following is a quotation of the second paragraph of 35 U.S.C. § 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which Applicant regards as his invention.

8. Claims 5 and 11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In both of these claims, storing the set of recurring date bearing instances in the second database as a recurring record (1) contradicts the parent claim, since the parent claim calls for the first database storing the recurring records and the second database seemingly only storing non-recurring records, and (2) seems confusing, since it is unclear how these limitations are related to the steps of the parent claim, which calls for processing only of non-recurring records from the second database.

9. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-12, 18-20, 22-34, 40-42 and 44-56 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Crozier ('553, newly cited).

As per claims 1-5 and 7-11, Crozier provides for mapping, translating and dynamically reconciling data between disparate computer platforms, wherein a first plurality of data are processed into a format which is compatible with a second plurality of data, for the purposes of providing synchronization (reconciliation) of the two sets of data (abstract; col. 3, lines 46-59; col. 4, lines 58-67; col. 5, lines 43-56; claims 1-9). However, Crozier does not teach that the data being reconciled is in the form of "recurring records," such that one format of storing the recurring records is converted into another format of storing them, in order to facilitate their synchronization. In this regard, Crozier further teaches the ability to map a plurality of fields to a single field (or vice-versa), in order to provide consistency in formatting of the fields for synchronization purposes (col. 7, line 61 - col. 8, line 11; col. 9, lines 19-35; col. 11, lines 15-25). It would have been

obvious, to one having ordinary skill in the art, at the time the instant invention was made, to modify the system of Crozier, by utilizing the above-noted mapping, taught by Crozier as being used at the "field level" of the database, at a further level (i.e.; "record level") of the database, since fields/records are arbitrary sub-divisions of data. It would have been within the scope of one having ordinary skill in the art to apply beneficial functionality of one sub-division of data to another sub-division of data for similar purposes, since Crozier further teaches the known method of processing a repeating instruction (i.e.; "recurring" record, as instantly claimed) by expanding it into multiple records (col. 12, lines 60-65; col. 14, lines 12-17).

As per claims 23-30, 32-34, 45-52 and 54-56, Crozier further provides for determining the need for reconciliation by comparing a key field of the records in both databases (abstract; col. 3, lines 6-37; col. 11, line 42 - col. 12, line 10; claims 1-9). However, Crozier does not disclose grouping already compared records in order to facilitate subsequent comparisons for further reconciliation. In this regard, it would have been obvious, to one having ordinary skill in the art, at the time the instant invention was made, to modify the system of Crozier, to provide for such grouping, since Crozier does teach performing subsequent comparisons (claim 1), and it would have been within the scope of one having ordinary skill in the art to perform such taught subsequent comparison upon any selected amount of the stored data (i.e. selecting a new grouping, as instantly claimed), based upon system characteristics such as outcome of previous reconciliations and subsequent database usage.

Further as per the limitations of including a history file and uniquely identifying stored records, as presented in claims 6, 12, 18-20, 22, 31, 40-42, 44 and 53, such are well known methods in the art for maintaining data integrity, and would have been well within the scope of one having ordinary skill in the art to include in the system of Crozier.

11. Claims 13-17, 21, 35-39 and 43 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not disclose including a list of excluded instances in a recurring record, wherein the excluded instances are representative of instances previously represented by another recurring record during a previous synchronization, and synchronization of the databases involves reconciling the list of excluded instances.

13. Since allowable subject matter has been indicated, Applicant is encouraged to submit formal drawings in response to this Office action. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.

14. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maria N. Von Buhr whose telephone number is (703) 305-3837. The examiner can normally be reached on Monday - Thursday from 8 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black, can be reached at (703) 305-9707. The fax phone number for this Group is (703) 305-9731.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.



MARIA N. VON BUHR
PATENT EXAMINER
ART UNIT 2771